Late Filing

Dear FCC Commissioners & Staff:

My name is Craig Norborg and I am the Manager of Datacruz Internet, in Mishawaka, IN. We began business in 1997 and presently have about 1,500 customers, most of whom live and work in Mishawaka or South Bend, but we also do a fair amount of web hosting for customers throughout the nation.

We offer many services that our local phone company, SBC/Ameritech, does not. Services like free Internet training classes at our offices. We also helped several local schools get online even before the new 'erates' that are now available.

When we opened for business we started, as many ISPs did, with a stack of ordinary dial-up modems and a fistful of phone lines from Ameritech. Of course getting phone lines from Ameritech was always a problem, and we frequently lost customers when our modem lines became busy because Ameritech was late delivering phone lines we had ordered well in advance.

Nowadays we have moved on from ordinary phone lines to digital PRI's (Primary Rate ISDN) which we would have gone with in the first place, but Ameritech had them priced uncompetitively. Since then the price has gone down, but more importantly, service has improved.

Unfortunately, I can't say the same about DSL. If we want to offer Internet access over DSL to our customers, we must do it through Ameritech, and the prices Ameritech has offered us make it impossible for us to compete. We are expected to pay $36 per month for the data line to reach the customer, and turn around and compete with Ameritech, which is offering reconfigured phone lines, internet access and free $200 modems, for $39.99 per month (and the first 6 months at $30/month!!!). Even thought we don't see a way of keeping up in this market, we have begun offering DSL to see if it is possible. It was either that or start losing customers, either to Ameritech for DSL or to the cable company (of whom we lost quite a few customers too waiting for Ameritech to get the ball rolling), since more and more of our customers are demanding faster access and if we can't provide it, they'll go to someone who will. If that trend continues, Datacruz will not be around much longer.

I do not have the resources to fight the tariff that Ameritech has filed that allows it to get away with charging ISPs a wholesale rate of $36 for access to the network. Not to mention that these customers are required to be Ameritech customers already, paying about $25-30/month for the same phone line that I run my DSL over!!! But, since Ameritech charges me the $36/month, I look like I'm the one charging so much even though the customer is both directly and indirectly paying Ameritech about $65/month for this line. I believe the true cost is probably a great deal less than that. However, I also do not believe that the answer to this problem is simply to allow Ameritech to stop selling access to the network at all, or to take away the requirements that are supposed to be preventing Ameritech from discriminating.

The answer is for the FCC to make a good faith effort to uncover the discrimination (whether it is in pricing or provisioning) and put an end to it. Until the FCC has demonstrated that it is willing to do this for ISPs, any talk about lifting the rules for monopolies like Ameritech is premature.

If anything, the current efforts are backwards to where they should really be.
It doesn't make sense for the Cable TV companies to be completely unregulated
when they are entering into technologies that have been regulated for years.
If anything, now that they are starting to play on the same field as the
telephone ILEC's, they should play by the same rules. If they want to get into
the communications game, they should have to have the same regulations as the
ILEC's and CLEC's have in the telephone market. They should pay the same fee's
for access to things such as telephone poles, and they should be paying into the
Universal Services Funds that the telephone companies do.   Its obvious with the
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Sincerely,

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